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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 49**

**PILOTAGE**

**The Perth (Pilotage Powers) Order 2006**

*Made* - - - - - *7th February 2006*  
*Laid before the Scottish*  
*Parliament* - - - - - *8th February 2006*  
*Coming into force* - - - - - *1st April 2006*

Whereas Perth and Kinross Council<sup>(1)</sup> is a harbour authority within the meaning of the Pilotage Act 1987<sup>(2)</sup> (“the 1987 Act”) for the harbour of Perth but is not a competent harbour authority within the meaning of the 1987 Act;

And whereas Perth and Kinross Council wishes to be treated as a competent harbour authority for the purposes of the 1987 Act;

And whereas the Scottish Ministers have informed the persons they consider might be affected by this Order, in accordance with section 1(7) of the 1987 Act, and the making of the Order is not opposed;

Now therefore the Scottish Ministers, on the application of Perth and Kinross Council, in exercise of the powers conferred by section 1(4) of the 1987 Act<sup>(3)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Perth (Pilotage Powers) Order 2006 and shall come into force on 1st April 2006.

(2) In this Order—

“Act of 1830” means the Act passed in the eleventh year of the reign of His Majesty King George the Fourth and first year of the reign of His Late Majesty King William the Fourth intituled “An Act for enlarging, improving, and maintaining the Port and Harbour of Perth, for improving the Navigation of the River Tay to the said City, and for other Purposes therewith connected”<sup>(4)</sup>;

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(1) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39). Perthshire and Kinross Council changed the name of their area from “Perthshire and Kinross” to “Perth and Kinross ” by resolution under section 23(1) of the Local Government (Scotland) Act 1973 on 1st December 1995.

(2) 1987 c. 21.

(3) The functions conferred on the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(4) 1830 c. 12 (11 G 4 & 1 W. 4), repealed by 1856 c. 138 (19 & 20 Vict.).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“Act of 1856” means the Act passed in the nineteenth and twentieth year of the reign of Her Late Majesty Queen Victoria intituled “An Act to provide for the Arrangement of the financial Affairs of the City of Perth, for the Maintenance of the Port and Harbour, and for other Purposes therewith connected”(5); and

“the harbour of Perth” means the area described in section 5 of the Act of 1830 and section 13 of the Act of 1856.

### **Application of Pilotage Act 1987**

2. Perth and Kinross Council shall be a competent harbour authority in respect of the harbour of Perth for the purposes of the Pilotage Act 1987.

St Andrew’s House,  
Edinburgh  
7th February 2006

*TAVISH SCOTT*  
A member of the Scottish Executive

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(5) 1856 c. 138 (19 & 20 Vict).

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order provides that Perth and Kinross Council shall be a competent harbour authority for the purposes of the Pilotage Act 1987 in respect of the harbour of Perth.

The applicant for the Order is Perth and Kinross Council, 2 High Street, Perth, PH1 5PH.